

STATE OF TEXAS §
COUNTIES OF POTTER §
AND RANDALL §
CITY OF AMARILLO §

On the 8th day of April 2013, the Amarillo Planning and Zoning Commission met in a work session in Room 206, second floor of City Hall, at 2:45 PM to review agenda items, then convened in regular session at 3:00 PM in the Commission Chambers on the third floor of City Hall, 509 East 7th Avenue, Amarillo, Texas, with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
David Craig	Y	38	24
Dean Bedwell	Y	105	99
Judy Day, Chairman	Y	108	91
Casey Webb, Vice-Chairman	Y	38	32
Mike Good	Y	20	15
Anthony Ledwig	Y	20	16
Howard Smith	N	143	124

PLANNING DEPARTMENT STAFF: Cris Valverde, Senior Planner
Kelley Shaw, Planning Director Jan Sanders, Admin Tech

Chairman Day opened the meeting, established a quorum and conducted the consideration of the following items in the order presented. Kelley Shaw, Planning Director, read the staff reports and gave the recommendations for each item.

ITEM 1: Approval of the minutes of the March 25, 2013 meeting

A motion to approve the minutes of the March 25, 2013 meeting was made by Commissioner Bedwell, seconded by Commissioner Craig, and carried unanimously.

Chairman Day stated Item 2 would be moved to the end of the meeting for discussion purposes.

ITEM 3: Z-13-11 Rezoning of Lot 10, Block 25, Oak Dale Unit No. 3, in Section 122, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to Residential District 1 with a specific use permit for placement of a carport within the front-yard setback. (Vicinity: Ricks St and 33rd Ave.)
APPLICANT: Terry Slaton

Mr. Shaw stated the applicant is requesting a carport to protect all of his vehicles. Approval of this SUP could set a precedent in the area of allowing carports within the front-yard setback. Mr. Shaw also mentioned the applicant has provided written approval from seven adjacent neighbors stating they do not have an issue with this carport.

Chairman Day asked if anyone present wished to speak in favor of the rezoning request. Terry Slaton, 4800 SE 33rd Ave, applicant appeared to answer any questions.

Mr. Shaw commented each carport application, within the front-yard setback, is reviewed on a case-by-case basis.

A motion to approve Z-13-11 was made by Commissioner Bedwell, seconded by Commissioner Craig and carried unanimously.

ITEM 4: Z-13-12 Rezoning of Lot 9-A, Block, 55, Olsen Park Unit No. 53, in Section 8, Block 9, BS&F Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 160 to Amended Planned Development District for professional office use.(Vicinity: Interstate 40 & Hancock St).
APPLICANT: 4141 LLC

Mr. Shaw stated the applicant is requesting amending the planned development (PD) for a professional office building. The proposed building is residential in character, the last remaining tract within a non-residential strip will help alleviate negative impacts such as noise and glare of I-40 for residents to the south. The existing PD standards will remain with additional safeguards proposed such as additional lot coverage, and additional landscaping. Mr. Shaw commented staff feels the request is appropriate as presented.

A motion to approve Z-13-12 was made by Commissioner Craig, seconded by Commissioner Ledwig and carried 5:0:1 with Commissioner Bedwell abstaining.

ITEM 5: P-13-24 City View Estates Unit No. 13, an addition to the City of Amarillo, being an unplatted tract of land out of Section 231, Block 2, AB&M Survey, Randall County, Texas. (35.02 acres)(Vicinity: Farmers Ave. and City View Rd.)
DEVELOPER: Matt Griffith
SURVEYOR: Robert Keys

Mr. Shaw stated the plat was not ready and could be resubmitted at a later date at no charge. A motion to deny P-13-24 was made by Commissioner Craig, seconded by Commissioner Webb and carried unanimously.

ITEM 6: P-13-25 City View Estates Unit No. 14, an addition and a suburban subdivision to the City of Amarillo, being an unplatted tract of land out of Section 231, Block 2, AB&M Survey, Randall County, Texas.(31.23 Acres)(Vicinity: Farmers Ave & Georgia St.)
DEVELOPER: Matt Griffith
SURVEYOR: Robert Keys

Mr. Shaw stated the plat was not ready and could be resubmitted at a later date at no charge. A motion to deny P-13-25 was made by Commissioner Webb, seconded by Commissioner Craig and carried unanimously.

ITEM 7: P-13-26 Puckett West Addition Unit No. 15, an addition to the City of Amarillo, being a replat of Lot 29A and Lot 29B, Block 1, Puckett West Addition Unit No. 13 in Section 42, Block 9, BS&F Survey, Randall County, Texas. (6.60 acres)(Vicinity: SW 34th St. and Coulter St.)
DEVELOPER(S): Pilchers Summit Limited Partnership
SURVEYOR: Kurtis Webb

Chairman Day stated that the plat was signed by the Deputy City Manager on April 8, 2013.

ITEM 8: P-13-27 Avonbell Addition Unit No. 3, an addition to the City of Amarillo being a replat of all of Lot 10, 11 and the South 22' of Lot 12, Block 10, Avonbell Addition Unit No. 1, in Section 9, Block 9, BS&F Survey, Potter County, Texas. (Vicinity: Bell St & Wolflin Ave)
DEVELOPER: Guy Slimp
SURVEYOR: Harold Boerstler

Mr. Shaw stated the plat was not ready and could be resubmitted at a later date at no charge. A motion to deny P-13-27 was made by Commissioner Craig, seconded by Commissioner Webb and carried unanimously.

ITEM 9: P-13-28 Claude Highway Unit No. 1, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 116, Block 2, AB&M Survey, Randall County, Texas. (1.05 acres)(Vicinity: FM 1151 and S. Whitaker Rd.)
DEVELOPER(S): Lloyd Scott Green
SURVEYOR: K.C. Brown

Mr. Shaw stated the plat was not ready and could be resubmitted at a later date at no charge. A motion to deny P-13-28 was made by Commissioner Bedwell, seconded by Commissioner Good and carried unanimously.

CARRY OVERS:

ITEMS 10-11: P-13-21 Fairview Subdivision Unit No. 3, P-13-23 Oakwood Addition Unit No. 5.

No action was taken on these plats.

PENDING ITEMS:

ITEMS 12-24: P-08-10 The Woodlands of Amarillo Unit No. 14, P-10-19 Dixon Acres Unit No. 5, P-11-31 Sundown Acres Unit No. 6, P-11-54 Tradewind Air Park Unit No. 19, P-12-23 Soncy Estates Unit No. 3, P-12-45 Redstone Addition Unit No. 1, P-12-52 Bownds Industrial Park Unit No. 1, P-13-01 Green Acres Farms Unit No. 5, P-13-02 Hillside Terrace Estates Unit No. 17, P-13-03 Famous Heights Addition Unit No. 42, P-13-05 Beverly Gardens Unit No. 22, P-13-09 Country Estates Unit No. 1, P-13-11 Cross Texas Addition Unit No. 1.

No action was taken on these plats.

ITEM 25: P-13-12 Haimes Acres Unit No. 2, a suburban subdivision to the City of Amarillo, being a replat of the south half of Lot 8, Block 1, Haimes Acres Unit No. 1, in Section 143, Block 2, AB&M Survey, Randall County, Texas. (2.50 acres)(Vicinity: Haimes St. & Hollywood Rd. /Loop 335)
DEVELOPER(S): Miguel Morales
SURVEYOR: K.C. Brown

A motion to approve P-13-12 was made by Commissioner Craig, seconded by Commissioner Bedwell and carried unanimously.

ITEMS 26-29: P-13-14 River Falls Unit No. 31, P-13-16 Arden Hills Unit No. 1, P-13-17 Hillside Terrace Estates Unit No. 20, P-13-20 The Greenways at Hillside Unit No. 28.

No action was taken on these plats.

ITEM 2: Discussion by Planning Department staff related to a Specific Use Permit process for fencing.

Mr. Shaw informed the Commissioners Item 2 is for discussion purposes only, with no action required today. If the Commissioners feel a Specific Use Permit (SUP) is warranted for fencing issues the Planning staff will further review the matter or if not the item will be closed.

Mr. Shaw brought before the Commissioners an item at 4239 Erik Ave in regards to a newly constructed fence. An adjacent neighbor has filed a complaint due to fence height and location. The property owner then appealed to the Zoning Board of Adjustment (ZBA) for a variance. The ZBA, under strict guidelines, could not find cause to grant such variance. A SUP was mentioned to see if appropriate for fencing issues and thus the need for discussion with the Planning and Zoning Commissioners. Mr. Shaw gave a brief history of Amarillo's fencing regulations. The current fencing regulation allows up to an 8' fence to the front building line and then must transition to no higher than a 4' fence in the front yard set-back. Corner lots and cul-de-sac lots are exceptions to the rule. The property in discussion has two issues, the fence is in violation of the ordinance and an adjacent property owner has filed a complaint. Planning staff's opinion is the zoning set-back regulations need to be protected and are in place for public safety. Also, the ZBA does have the authority to grant a variance for unique circumstances. Planning staff does not feel it could supply different elements in regards to recommending a SUP for a fence that would not apply under ZBA consideration.

Derek Davis, 4239 Erik Ave, stated his 7' fence is in the same location as the previous fence (the original footprint of the property). Mr. Davis is requesting permission to keep his fence to maintain the landscaping/trees as is and also for privacy issues for his side and backyard.

Matt Thomas, 3700 Farwell, ZBA Board member, stated one reason a variance was not issued was it would allow all residents along Erik Ave to build 7' fences in their front yards.

The Commissioners agreed they do not want the Planning Department to further pursue this matter.

ITEM 30: Public Forum: Time is reserved for any citizen to comment on City zoning or planning concerns; however, the Commission can take no action on any issue raised.

No comments were made.

ITEM 31: Discuss Items for Future Agendas.

No further comments were made and meeting adjourned at 4:15 p.m.

Kelley Shaw, Secretary
Planning & Zoning Commission